

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

BANK BRUSSELS LAMBERT,

Plaintiff,

v.

FIDDLER, GONZALEZ &,  
RODRIGUEZ, et al.,

Defendants.

CIV. ACTION NO. 98-1698(JP)

ORDER

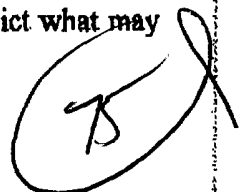
JUDGE JAMES H. MICHAEL, JR.

Before the court is the plaintiff's "Informative Motion Concerning Decision of the United States Court of Appeals for the Second Circuit" and "Defendant Fidler, Gonzalez & Rodriguez, LLP's Response to Plaintiff's Informative Motion Concerning Decision of the United States Court of Appeals for the Second Circuit," both filed in October, 2002.

By an order entered in May, 1999, this court ruled that it would "take no action on the parties' motions for summary judgment or any other motion by the parties until such time as the question of jurisdiction in the Southern District of New York has been decided." Although the district court originally granted the defendant's motion to dismiss for lack of personal jurisdiction, the Second Circuit held that the New York court had jurisdiction over defendant Fidler, and remanded the case to the district court for further proceedings. Fidler now represents to this court that it has no intention of appealing the Second Circuit's decision. The question of jurisdiction, therefore, has been resolved.

Because the informative motion, the orders of this court, and several other communications among the parties and the two courts involved with the issues in this case may have crossed paths and led to confusion on the part of the parties, and because it is not possible to predict what may

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transpire in the further progress of this case in the Southern District of New York and in the United States Court of Appeals for the Second Circuit, the best course of action for this court is to continue the stay in the proceedings in this court pending the resolution of all of the outstanding issues remaining in the New York case.

Accordingly, it is this day

**ADJUDGED, ORDERED and DECREED**

that the proceedings in the above-captioned civil action shall be, and they hereby are, STAYED pending the resolution of all of the outstanding issues remaining in the District Court for the Southern District of New York. This order shall not be interpreted by counsel for any of the parties in this case or in any related litigation as affecting the orders, schedules, or proceedings in other courts, particularly the District Court for the Southern District of New York. The court shall take no action on the parties' motions for summary judgment or any other motions by the parties until such time as all of the outstanding issues in the case pending in the Southern District of New York have been finally decided.

The Clerk of the Court hereby is directed to send a certified copy of this Order to all counsel of record and to Judge McKenna, United States District Court for the Southern District of New York.

ENTERED:

*D. H. [Signature]*  
Senior United States District Judge

14 Jan. 2003  
Date

**FAX TRANSMISSION**  
**UNITED STATES DISTRICT COURT**  
255 West Main Street, Room 320  
Charlottesville, VA 22902  
434-295-3148  
Fax: 434-296-5585

**To:** Chief Deputy Clerk Morales      **Date:** January 14, 2002  
ATTN: Yolanda  
787-772-3015

**Fax #:** 787-766-5693      **Pages:** 3, including this cover sheet.

**From:** Peggy W. Williams, Secretary  
Hon. James H. Michael, Jr.

**Subject:** Order in 98-1698(JP/JHM) –  
Bank Brusses Lambert v. Fiddler, Gonzalez & Rodriguez, et al.

Please enter the Order and the original will follow.

cc: Information Copy to All Counsel of Record:

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